

# EXHIBIT C

**Medisim Ltd. v. BestMed, LLC**  
**BestMed's Trial Exhibits (DTX-A through DTX-QS)**

Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
1	DTX-.A -- 1970-11 Article by Fox et al. on Monitoring Deep Body Temp	Hearsay (FRE 802).
2	DTX-.B -- 1994-01 Article by Erickson et al. on Ear Thermometer Accuracy	Hearsay (FRE 802).
3	DTX-.C -- 1998 Article by Robinson, et al. on Temp. Comparison in Children	Hearsay (FRE 802).
4	DTX-.D -- 2010-12-06 BestMed's Resp. to 1st Interrog. (#s 1-15) with Cohen Verif. (Partly C-DCO and Conf.)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
5	DTX-.E -- 2011-01-14 Medisim's Resp. to 1st Interrog. (#s 1-15)	No objection.
6	DTX-.F -- 2011-01-14 Medisim's Resp. to 1st RfA (#s 1-152)(Partly Conf.)	No objection.
7	DTX-.G -- 2011-01-28 BestMed's Resp. to 2nd Interrog. (#s 16-19)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
8	DTX-.H -- 2011-01-28 BestMed's Suppl. Resp. to 1st Interrog. (#s 3,4,6,9-11)(Partly C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
9	DTX-.I -- 2011-01-28 Medisim's Suppl. Resp. to 1st RfA (#s 3-131, Not Seq.)(Partly Conf.)	No objection.
10	DTX-.J -- 2011-03-09 Medisim's Resp. to 2nd RfA (#s 153-170)	No objection.
11	DTX-.K -- 2011-03-11 BestMed's Suppl. Resp. to 2nd Interrog. (#s 16-19)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
12	DTX-.L -- 2011-03-11 Medisim's Suppl. Resp. to 1st Interrog. (#s 1-15) with Chart (Partly C-DCO)	No objection.
13	DTX-.M -- 2011-04-04 Medisim's Resp. to 2nd Interrog. (#16)	No objection.
14	DTX-.N -- 2011-04-07 Medisim's 2nd Suppl. Resp. to 1st RfA (#s 61, 64, 66)	No objection.
15	DTX-.O -- 2011-04-14 Medisim's Suppl. Resp. to 2nd RfA (#s 153-164 Not Seq.)	No objection.
16	DTX-.P -- 2011-05-20 Medisim's 3rd Suppl. Resp. to 1st RfA, 2nd Suppl. Resp. to 2nd RfA (Various #s)	No objection.
17	DTX-.Q -- 2011-07-07 Medisim's 1st RfA (#s 1-119) with Exh. A-E (Partly Conf.)	No objection.
18	DTX-.R -- 2011-07-25 BestMed's Resp. to 1st RfA (#s 1-119)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
19	DTX-.S -- B 000012-000013 -- 2003-07-28 Vadai E-mail to Cohen re Info. for Mtg. with Walgreens	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
20	DTX-.T -- B 000014-000015 -- 2003-07-30 Vadai E-mail to Cohen et al. re Medisim Products Under BestMed Brand	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
21	DTX-.U -- B 000019-000020 -- 2003-08-06 Vadai E-mail to Cohen re Proposal for Proceeding	Misleading/confusing (FRE 403).
22	DTX-.V -- B 000023-000025 -- 2003-09-01 Yarden E-mail to Cohen re Call and Visit, Walgreens Update	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
23	DTX-.W -- B 000030 -- 2004-06-14 Yarden E-mail to Cohen re Offer of FHT	No objection.
24	DTX-.X -- B 000031-000033 -- 2004-07-21 Yarden E-mail to Cohen et al. re Summary of T-con	No objection.
25	DTX-.Y -- B 000034-000035 -- 2004-11-30 Vadai E-mail to Edmonds re Your Req. for Samples of FHT-1	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
26	DTX-.Z -- B 000036-000038 -- 2004-12-08 Edmonds E-mail to Vadai re Req. for Samples of FHT-1	Authenication (FRE 901). Misleading/confusing (FRE 403). Hearsay

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27	DTX-AA -- B 000039 -- 2004-12-13 Yarden E-mail to Cohen et al. re Timeline for CVS	No objection.
28	DTX-AB -- B 000040 -- 2004-12-23 Yarden E-mail to Cohen et al. re CVS Update	No objection.
29	DTX-AC -- B 000041 -- 2004-12-27 Edmonds E-mail to Cohen re E-mail About Rite Aid Mtg	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
30	DTX-AD -- B 000042-000043 -- 2004-12-30 Vadai E-mail to Edmonds re Sent Clam Shell Samples	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
31	DTX-AE -- B 000044-000046 -- 2005-01-03 Edmonds E-mail to Vadai re Attd. FHT-1 Packaging Spec	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
32	DTX-AF -- B 000047-000048 -- 2005-01-03 Lemos E-mail to Yarden et al. re Attd. PO for New DTT-1	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
33	DTX-AG -- B 000049 -- 2005-01-05 Sasson E-mail to Lemos re Resp. to PO for New DTT-1	No objection.
34	DTX-AH -- B 000050-000051 -- 2005-01-24 Sasson E-mail to Cohen re Comments on Draft Letter of Credit	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
35	DTX-AI -- B 000052-000053 -- 2005-01-27 Lemos E-mail to Sasson re Replace Previous PO with Attd. PO for DTT-1	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
36	DTX-AJ -- B 000054 -- 2005-01-28 Edmonds E-mail to Axtman et al. re Rite Aid DTT	Hearsay (FRE 802, 805). Authentication (FRE 901). Misleading/confusing (FRE 403).
37	DTX-AK -- B 000056 -- 2005-02-05 Vadai E-mail to Cohen et al. re DTT Samples and Shuster Labs Test	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
38	DTX-AL -- B 000057-000058 -- 2005-02-09 Yarden E-mail to Cohen et al. re Shuster Labs Test	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
39	DTX-AM -- B 000059-000066 -- 2005-02-11 Lemos E-mail to Sasson re Attd. New PO for DTT-1	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
40	DTX-AN -- B 000069 -- 2005-04-12 Vadai E-mail to Lemos re Your Req. for More DTT-1 Samples	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
41	DTX-AO -- B 000070 -- 2005-04-24 Vadai E-mail to Cohen et al. re Finish on DTT Samples	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
42	DTX-AP -- B 000071-000072 -- 2005-05-03 Vadai E-mail to Edmonds re Your Req. for More DTT-1 Samples	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
43	DTX-AQ -- B 000096-000098 -- 2005-02-16 Shuster Labs Amd. Evaluation Report to CVS	No objection.
44	DTX-AR -- B 000159-000163 -- 2003-12-04 FDA Communication to Medisim re 510(k) for Thermometer (C-DCO)	No objection.

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45	DTX-AS -- B 000164-000168 -- 2005-09-01 FDA Communication to Medisim re 510(k) for Thermometer (C-DCO)	No objection.
46	DTX-AT -- B 000192-000193 -- 2007-05-14 Cohen E-mail to Yang re Medisim Patent, Contract (C-DCO)	Hearsay (FRE 802, 805). Authenticity (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).
47	DTX-AU -- B 000196 -- 2007-06-14 Cohen E-mail to Tseng et al. re Cannot Move DTT Prod. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
48	DTX-AV -- B 000200-000201 -- 2007-07-13 Cohen E-mail to Yang re Moving Prod. to K-Jump (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
49	DTX-AW -- B 000234-000235 -- 2006-10-12 Edmonds E-mail to T. Wu et al. re Items for Conversion Project (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
50	DTX-AX -- B 000291-000295 -- 2006-11-16 T. Wu E-mail to Cohen re Attd. DTT Clinical Test Data (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
51	DTX-AY -- B 000298-000309 -- 2007-03-12 Clinical Test of K-Jump KD-2201 (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
52	DTX-AZ -- B 000377-000379 -- 2005-03-29 Vadai E-mail to T. Wu et al. re Recommended Procedure (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
53	DTX-BA -- B 000380-000383 -- 2005-03-30 Vadai E-mail to T. Wu et al. re Recommended Procedure (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
54	DTX-BB -- B 000398-000402 -- Undated BestMed and Medisim FHT Instr. (C-DCO)	No objection.
55	DTX-BC -- B 000403 -- 2005-05-19 Sasson E-mail to Lahowetz et al. re FTP Address for Posting Instr. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Misleading/confusing (FRE 403).
56	DTX-BD -- B 000405-000411 -- 2005-01-25 Vadai E-mail to Edmonds re Attd. DTT Instr. with Comments (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
57	DTX-BE -- B 000414-000415 -- 2004-12-14 Vadai E-mail to Edmonds re FHT-1 Instr. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
58	DTX-BF -- B 000416-000417 -- 2004-12-17 Edmonds E-mail to Vadai re Attd. Graphic (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
59	DTX-BG -- B 000418-000423 -- 2004-12-21 Edmonds E-mail to Yarden et al. re Attd. Draft FHT Instr. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).

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60	DTX-BH -- B 000424-000429 -- 2004-11-22 Vadai E-mail to Edmonds re Attd. FHT Instr. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
61	DTX-BI -- B 000433-000437 -- 2002 Medisim Info. Sheets (C-DCO)	Authentication (FRE 901).
62	DTX-BJ -- B 000438-000439 -- 2003-06-30 Medisim Info. Sheet re Clinical Investigation FHT-I (C-DCO)	Authentication (FRE 901).
63	DTX-BK -- B 000441-000442 -- Undated Up-Grade Forehead Thermometer Instr. (C-DCO)	Authentication (FRE 901).
64	DTX-BL -- B 000459-000462 -- Undated FHT Instr. (C-DCO)	Authentication (FRE 901).
65	DTX-BM -- B 000468-000471 -- Undated BestMed DTT Instr. (C-DCO)	Authentication (FRE 901).
66	DTX-BN -- B 000579 -- 2009-02-10 BestMed Letter to Meijer re New DTT (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
67	DTX-BO -- B 000580 -- 2009-01-29 BestMed Letter to Medline re New DTT (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
68	DTX-BP -- B 000592 -- 2009-01-29 BestMed Letter to Valu Merchandisers re New DTT (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
69	DTX-BQ -- B 000598-000599 -- 2009-07-22 Cohen E-mail to Tseng re Medisim Thermometer at Walmart (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
70	DTX-BR -- B 000600 -- 2009-07-14 A. Hsu E-mail to Edmonds re Review of New Medisim Thermometer (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701).
71	DTX-BS -- B 000601-000610 -- 2009-07 DTT Testing Data (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
72	DTX-BT -- B 000615 -- 2009-04-03 Cohen E-mail to Chen et al. re DTT Order (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
73	DTX-BU -- B 000616-000618 -- 2009-04-07 Cohen E-mail to Lin re Attd. List of DTT Sales by Customer (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
74	DTX-BV -- B 000619-000622 -- 2009-04-24 Cohen E-mail to N. Kuo re Lower Volume DTT Customers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
75	DTX-BW -- B 000623-000624 -- 2009-06-15 Cohen E-mail to N. Kuo et al. re Attd. DTT Forecast for 6 Months (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
76	DTX-BX -- B 000626 -- 2007-03-30 Cohen E-mail to Tseng et al. re Potential DTT Orders from Target and CVS (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
77	DTX-BY -- B 000627-000677 -- Undated Sales of K-Jump DTT (C-DCO)	No objection
78	DTX-BZ -- B 000678-000680 -- 2010-11-08 Purchases of K-Jump DTT (C-DCO)	No objection
79	DTX-CA -- B 000684-000686 -- 2008-05-27 Yarden Letter to Cohen re Distribution Agmt. (C-DCO)	No objection.

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80	DTX-CB -- B 000687-000688 -- 2008-01-23 Cohen Letter to Yarden re Agmt. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Improper advice of counsel (by stipulation). Improper lay opinion (FRE 701).
81	DTX-CC -- B 000689 -- 2008-05-09 Cohen Letter to Yarden re Misrepresentations (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Improper lay opinion (FRE 701).
82	DTX-CD -- B 000702-000707 -- 2009-12-27 Infrared Forehead Thermometer Market Share Spreadsheets and Graphs (C-DCO)	Authentication (FRE 901). Hearsay (FRE 802,805).
83	DTX-CE -- B 000708-000710 -- 2009-11-18 Edmonds E-mail to Mallon re Rite Aid (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Improper advice of counsel (by stipulation). Improper lay opinion (FRE 701).
84	DTX-CF -- B 000754 -- 2009-04-06 Gross E-mail to Edmonds re No Issues with Change (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
85	DTX-CG -- B 000768 -- 2008-12-17 Malmberg E-mail to Edmonds et al. re DTT at CVS (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
86	DTX-CH -- B 000837-000838 -- 2008-09-09 Cohen E-mail to Edmonds re Medline (Conf.)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
87	DTX-CI -- B 000869-000870 -- 2004-07-08 Yarden E-mail to Cohen et al. re Mtg. and Agmt. (C-DCO)	No objection.
88	DTX-CJ -- B 000938-000940 -- 2004-07-21 Yarden E-mail to Cohen et al. re Summary of T-con. (C-DCO)	No objection.
89	DTX-CK -- B 001043 -- 2004-08-18 Vadai E-mail to Cohen re FHT Samples (C-DCO)	No objection.
90	DTX-CL -- B 001045 -- 2004-08-19 Vadai E-mail to Cohen re Sales Opportunity and Agmt. (C-DCO)	No objection.
91	DTX-CM -- B 001068 -- 2004-08-19 Yarden E-mail to Cohen et al. re Sales Opportunity and Agmt. (C-DCO)	No objection.
92	DTX-CN -- B 001083-001098 -- 2004-09-06 Yarden E-mail to Cohen re Attd. Draft Agmt. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
93	DTX-CO -- B 001172 -- 2004-09-28 N. Kuo E-mail to Cohen et al. re New Product Samples (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
94	DTX-CP -- B 001191-001192 -- 2004-10-05 Yarden E-mail to Edmonds re Rev. to Agmt. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).
95	DTX-CQ -- B 001206-001207 -- 2004-10-07 Yarden E-mail to Cohen et al. re Agmt. (C-DCO)	No objection.
96	DTX-CR -- B 001210-001213 -- 2004-10-12 Yarden E-mail to Cohen re Agmt., Attd. Clinical Data (C-DCO)	No objection.

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97	DTX-CS -- B 001376 -- 2004-11-08 Vadai E-mail to Cohen re Samples and Packaging (C-DCO)	No objection.
98	DTX-CT -- B 001419-001422 -- 2004-11-12 Vadai E-mail to Edmonds et al. re Attd. Drawings of Packaging (C-DCO)	No objection.
99	DTX-CU -- B 001426-001427 -- 2004-11-12 Edmonds E-mail to Vadai et al. re Packaging (C-DCO)	Hearsay (FRE 802, 805). Misleading/confusing (FRE 403).
100	DTX-CV -- B 001457 -- 2004-11-13 Vadai E-mail to Edmonds et al. re Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
101	DTX-CW -- B 001482-001483 -- 2004-11-18 Edmonds E-mail to Cohen re Attd. Drawings of Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
102	DTX-CX -- B 001484-001485 -- 2004-11-18 Edmonds E-mail to Cohen re Attd. Rev. Packaging Design (C-DCO)	Authentication (FRE 901).
103	DTX-CY -- B 001486 -- 2004-11-18 Edmonds E-mail to Edmonds re Rev. Packaging Design (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
104	DTX-CZ -- B 001517 -- 2004-11-23 Vadai E-mail to Cohen re Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
105	DTX-DA -- B 001526-001527 -- 2004-11-23 Lahowetz E-mail to Cohen et al. re Need to Change Copy in Attd. Doc. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
106	DTX-DB -- B 001538-001539 -- 2004-11-25 Vadai E-mail to Cohen et al. re Attd. Drawing of Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
107	DTX-DC -- B 001554-001555 -- 2004-11-30 Edmonds E-mail to Vadai et al. re Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
108	DTX-DD -- B 001634-001639 -- 2004-12-13 Edmonds E-mail to Vadai et al. re Attd. Rev. FHT Instr. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
109	DTX-DE -- B 001642 -- 2004-12-13 Edmonds E-mail to Vadai re Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
110	DTX-DF -- B 001671-001672 -- 2004-12-17 Edmonds E-mail to Vadai re Attd. Drawing for FHT-1 Instr. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
111	DTX-DG -- B 001776-001781 -- 2005-01-05 Vadai E-mail to Cohen re Attd. FHT Water Bath Testing Protocol (C-DCO)	No objection.
112	DTX-DH -- B 001784-001786 -- 2005-01-05 Lahowetz E-mail to Edmonds et al. re Edits to Attd. DTT-1 Sell Sheet (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
113	DTX-DI -- B 001793-001798 -- 2005-01-06 Vadai E-mail to Cohen et al. Attd. FHT Instr. with Comments (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
114	DTX-DJ -- B 001968-001971 -- 2005-01-18 Edmonds E-mail to Cohen re Attd. Quote Sent to Target (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).

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115	DTX-DK -- B 001997-002003 -- 2005-01-21 Lambert E-mail to Cohen re Attd. DTT Instr. with Comments (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
116	DTX-DL -- B 002028-002034 -- 2005-01-25 Vadai E-mail to Edmonds re Attd. DTT Instr. with Comments (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
117	DTX-DM -- B 002468-002469 -- 2005-03-10 N. Kuo E-mail to Cohen et al. re Update on Medisim (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
118	DTX-DN -- B 005204-005206 -- 2005-03-29 Vadai E-mail to T. Wu et al. re Recommended Procedure (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
119	DTX-DO -- B 005245 -- 2005-04-04 Vadai E-mail to Edmonds et al. re No Push Button (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
120	DTX-DP -- B 005406-005407 -- 2005-04-28 Vadai E-mail to Cohen et al. re Shipping Schedule (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
121	DTX-DQ -- B 005414-005416 -- 2005-04-28 Yarden E-mail to Cohen et al. re Shipping Schedule (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
122	DTX-DR -- B 005719 -- 2005-05-18 Edmonds E-mail to Guest re Interest from Walmart (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
123	DTX-DS -- B 005751-005753 -- 2005-05-27 Lambert E-mail to Cohen re Attd. Letter to Walgreens (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
124	DTX-DT -- B 005758-005759 -- 2005-06-06 Vadai E-mail to Cohen et al. re Packaging Review (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
125	DTX-DU -- B 005940-005941 -- 2005-06-28 Edmonds E-mail to Mallon re Attd. CVS Product Sheet (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
126	DTX-DV -- B 006023-006024 -- 2005-07-05 Edmonds E-mail to Sasson et al. re Packaging Samples (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
127	DTX-DW -- B 006035 -- 2005-07-05 Edmonds E-mail to Sasson re Quality of Rite Aid Package (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
128	DTX-DX -- B 006694-006695 -- 2005-08-10 Yarden E-mail to Cohen re Lot # Issue (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
129	DTX-DY -- B 007048 -- 2005-09-19 Sasson E-mail to Cohen re 6K Shipment (C-DCO)	No objection.
130	DTX-DZ -- B 007159-007160 -- 2005-09-29 Edmonds E-mail to Cohen re Extra Shipping Charges (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
131	DTX-EA -- B 007186-007188 -- 2005-09-30 Burke E-mail to Cohen re Extra Shipping Charges (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).



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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
132	DTX-EB -- B 007264 -- 2005-10-05 Lemos E-mail to Sasson re Paperwork (C-DCO)	Authentication (FRE 901). Hearsay (FRE 802,805).
133	DTX-EC -- B 007366-007368 -- 2005-10-13 Lemos E-mail to Cohen re Shipping Schedule (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
134	DTX-ED -- B 007403 -- 2005-10-20 Lemos E-mail to Cohen re Rite Aid Backorders (C-DCO)	Authentication (FRE 901). Hearsay (FRE 802,805).
135	DTX-EE -- B 007632-007634 -- 2005-11-03 Edmonds E-mail to Sasson et al. re Need Shipment Status (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
136	DTX-EF -- B 008041-008043 -- 2005-11-29 Edmonds E-mail to Arnold re Presentation to Walmart (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
137	DTX-EG -- B 008315 -- 2005-12-12 Sasson E-mail to Cohen re Problems with Delivery Requirements (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
138	DTX-EH -- B 008820-008821 -- 2006-01-04 Lemos E-mail to Sasson re Incorrect UPC # with Attd. Templates (C-DCO)	Authentication (FRE 901). Hearsay (FRE 802,805).
139	DTX-EI -- B 009049-009050 -- 2006-01-18 Edmonds E-mail to Cohen re Stein E-mail About Walgreens (C-DCO)	Authentication (FRE 901). Hearsay (FRE 802,805).
140	DTX-EJ -- B 009080 -- 2006-01-19 Yarden E-mail to Cohen et al. re Terms of Sale (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
141	DTX-EK -- B 009081 -- 2006-01-19 Yarden E-mail to Cohen et al. re Visit to Denver (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
142	DTX-EL -- B 009083 -- 2006-01-19 Yarden E-mail to Cohen et al. re Terms of Sale (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
143	DTX-EM -- B 010011 -- 2006-05-03 Lemos E-mail to Cohen re Calls About DTT-1 ER.3 Codes (C-DCO)	Hearsay (FRE 802, 805).
144	DTX-EN -- B 010220-010222 -- 2006-05-17 Lemos E-mail to Cohen re E-mail to Yarden About Safety Stock (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
145	DTX-EO -- B 010248 -- 2006-05-18 T. Wu E-mail to Cohen re DTT Project Timeline (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
146	DTX-EP -- B 010251 -- 2006-05-19 Edmonds E-mail to Cohen re DTT Project with K-Jump (C-DCO)	Hearsay (FRE 802). Partially admissible (FRE 105).
147	DTX-EQ -- B 010269-010272 -- 2006-05-20 T. Wu E-mail to Cohen re DTT Project (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
148	DTX-ER -- B 010364-010366 -- 2006-05-29 Yarden E-mail to Cohen et al. re Forecast and Available Products (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
149	DTX-ES -- B 010505-010507 -- 2006-06-08 Lemos E-mail to Sasson et al. re Damaged Medline Cards with Attachments (C-DCO)	Hearsay (FRE 802). Authentication (901).

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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
150	DTX-ET -- B 010812-010813 -- 2006-06-29 Yarden E-mail to Cohen re DTT Price Adjustment (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
151	DTX-EU -- B 011208 -- 2006-07-26 Lemos E-mail to Lambert re Production Trouble (C-DCO)	Hearsay (FRE 802). Authentication (901).
152	DTX-EV -- B 011325-011328 -- 2006-08-02 Sasson E-mail to Lemos et al. re Attd. Invoices and Updated Price List (C-DCO)	No objection.
153	DTX-EW -- B 011509 -- 2006-08-10 Yarden E-mail to Cohen re Use of BestMed Molds for FHT-1 (C-DCO)	Hearsay (FRE 802). Misleading/confusing (FRE 403).
154	DTX-EX -- B 011707-011731 -- 2006-09-03 Yang E-mail to Cohen re Attd. US Patent 7,059,767 to Tokita et al. (C-DCO)	Hearsay (FRE 802). Misleading/confusing (FRE 403). Authentication (FRE 901). Improper lay opinion (FRE 701).
155	DTX-EY -- B 011803-011805 -- 2006-09-12 Lemos E-mail to Sasson et al. re Issues with Grand Bond Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
156	DTX-EZ -- B 012340-012342 -- 2006-10-11 Sasson E-mail to Cohen et al. re Delayed Container Shipment (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
157	DTX-FA -- B 012433 -- 2006-10-13 Yarden E-mail to Cohen et al. re Blister Packaging (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
158	DTX-FB -- B 012682 -- 2006-10-26 Lemos E-mail to Sasson re Problems with Cartons from Grand Bond (C-DCO)	Hearsay (FRE 802).
159	DTX-FC -- B 012818-012833 -- 2006-11-01 Lemos E-mail to Cohen et al. re List of Shipment Problems with Attachments (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
160	DTX-FD -- B 012850 -- 2006-11-02 Yarden E-mail to Cohen et al. re Req. for Brands Forecast and Priority (C-DCO)	No objection.
161	DTX-FE -- B 012851 -- 2006-11-02 Lemos E-mail to Sasson et al. re Need DTT Battery Covers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
162	DTX-FF -- B 012855-012870 -- 2006-11-02 Lemos E-mail to Sasson re Items Missing from Shipment with Attachments (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
163	DTX-FG -- B 012924-012925 -- 2006-11-06 Edmonds E-mail to Sasson re Washed Out DTT-1.SA Irises (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Misleading/confusing (FRE 403).
164	DTX-FH -- B 012930 -- 2006-11-07 Lemos E-mail to Sasson re 3000 Blisters Missing from Shipment (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
165	DTX-FI -- B 012970-012985 -- 2006-11-08 Lemos E-mail to Sasson re Items Missing from Shipment with Attachments (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
166	DTX-FJ -- B 013028 -- 2006-11-14 Sasson E-mail to Lemos re Contents of Next Shipment (C-DCO)	Partially admissible (FRE 105). Hearsay (FRE 802, 805). Misleading/confusing (FRE 403).
167	DTX-FK -- B 013069-013070 -- 2006-11-15 Lemos E-mail to Sasson et al. re Air Freight Expense for Safeway Cards (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).

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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
168	DTX-FL -- B 013087-013088 -- 2006-11-16 T. Wu E-mail to Cohen re Attd. DTT Clinical Test Data (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
169	DTX-FM -- B 013137-013138 -- 2006-11-22 Barry E-mail to Cohen re Attd. Spreadsheet on Defective DTTs (C-DCO)	Hearsay (FRE 802). Authentication (901). Improper summary (FRE 1006).
170	DTX-FN -- B 013153-013154 -- 2006-11-22 Barry E-mail to Cohen re Attd. Updated Spreadsheet on Defective DTTs (C-DCO)	Hearsay (FRE 802). Authentication (901). Improper summary (FRE 1006).
171	DTX-FO -- B 013386 -- 2006-12-19 Sasson E-mail to Lemos et al. re Grand Bond Can't Make Orig. Ship Date (C-DCO)	No objection.
172	DTX-FP -- B 013489-013491 -- 2007-01-04 Lambert E-mail to Edmonds et al. re Defective Safeway Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
173	DTX-FQ -- B 013501-013512 -- 2006 BestMed Spreadsheet of Rite Aid Returns (C-DCO)	Hearsay (FRE 802). Authentication (901). Improper summary (FRE 1006).
174	DTX-FR -- B 014148-014152 -- 2007-02-28 Lemos E-mail to Ella of Medisim re Need Cert. for Shipment (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
175	DTX-FS -- B 014153 -- 2007-03-01 T. Wu E-mail to Edmonds et al. re KD-2200 Operating Sequence (C-DCO)	No objection.
176	DTX-FT -- B 014161 -- 2007-03-01 Lemos E-mail to Sasson et al. re Faulty DTT-1 Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
177	DTX-FU -- B 014212-014214 -- 2007-03-05 Lemos E-mail to Sarussi re Attd. DTT-1 Complaint Sheet (C-DCO)	Hearsay (FRE 802). Authentication (901). Improper summary (FRE 1006).
178	DTX-FV -- B 014291-014305 -- 2007-03-16 E. Wu E-mail to Edmonds re Attd. KD-2201 Clinical Test Report (C-DCO)	No objection.
179	DTX-FW -- B 014310-014323 -- 2007-03-19 E. Wu E-mail to Edmonds re Attd. Rev. KD-2201 Clinical Test Report (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).
180	DTX-FX -- B 014899 -- 2007-05-01 Yarden E-mail to Cohen et al. re T-con. About Contract (C-DCO)	No objection.
181	DTX-FY -- B 015088 -- 2007-05-16 Yarden E-mail to Cohen et al. re New Contract (C-DCO)	No objection.
182	DTX-FZ -- B 015646-015647 -- 2007-07-10 Yarden E-mail to Cohen et al. re Attd. Draft of Letter Agmt. (C-DCO)	No objection.
183	DTX-GA -- B 016556-016557 -- 2007-09-05 T. Wu E-mail to Cohen et al. re Pricing for CVS Purchases (C-DCO)	Hearsay (FRE 802). Misleading/confusing (FRE 403).
184	DTX-GB -- B 016882-016883 -- 2007-10-05 Yarden E-mail to Cohen et al. re Late Shipment, Need Status on Agmt. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
185	DTX-GC -- B 018450-018452 -- 2008-01-14 Sarussi E-mail to Edmonds et al. re Local Transportation Charges (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).

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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
186	DTX-GD -- B 018470-018473 -- 2008-01-17 Edmonds E-mail to Sarussi re Local Transportation Charges (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
187	DTX-GE -- B 018516-018519 -- 2008-01-24 Edmonds E-mail to E. Wu et al. re New CVS Carton with Attd. Photos (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
188	DTX-GF -- B 018587-018589 -- 2008-01-28 Yarden E-mail to Cohen et al. re Attd. Letter About Distribution Agmt. (C-DCO)	No objection.
189	DTX-GG -- B 018662-018663 -- 2008-02-01 Yarden E-mail to Cohen et al. re Req. Mtg. to Discuss Agmt. (C-DCO)	No objection.
190	DTX-GH -- B 018685-018688 -- 2008-02-05 Yarden E-mail to Cohen et al. re Call to Discuss Agmt. (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
191	DTX-GI -- B 018718 -- 2008-02-13 Yarden E-mail to Cohen et al. re Summary of Call About Agmt. (C-DCO)	No objection.
192	DTX-GJ -- B 018815 -- 2008-02-18 Yarden E-mail to Cohen et al. re Pricing (C-DCO)	No objection.
193	DTX-GK -- B 019145-019148 -- 2008-03-14 Yarden E-mail to Cohen et al. re Prop. to Modify Agmt. Clauses (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
194	DTX-GL -- B 019254-019258 -- 2008-03-19 Lemos E-mail to Sarussi re Attd. E-mail About Battery Installation (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
195	DTX-GM -- B 019526-019527 -- 2008-04-03 Edmonds E-mail to Chen et al. re Attd. CVS DTT Packaging (C-DCO)	No objection.
196	DTX-GN -- B 019735-019736 -- 2008-04-16 Lemos E-mail to Edmonds et al. re Attd. Medline DTT-1 Complaint Sheet (C-DCO)	Hearsay (FRE 802, 805). Authentication (901). Improper summary (FRE 1006).
197	DTX-GO -- B 019888-019889 -- 2008-04-24 Edmonds E-mail to Cohen re Medisim Credit for Er.3 Defective Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
198	DTX-GP -- B 019893-019896 -- 2008-04-24 Lemos E-mail to Cohen re Er.3 Defects with Attd. DTT-1 Complaint Sheet (C-DCO)	Hearsay (FRE 802, 805). Authentication (901). Improper summary (FRE 1006).
199	DTX-GQ -- B 019929-019932 -- 2008-04-27 Sarussi E-mail to Cohen et al. re Req. for Info. on Faulty Units (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
200	DTX-GR -- B 022918 -- 2008-09-02 Edmonds E-mail to Olczak of Medline re Temple Thermometer Failures (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
201	DTX-GS -- B 023165-023166 -- 2008-09-16 Yarden E-mail to Cohen et al. re Unstable Units (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
202	DTX-GT -- B 023214-023215 -- 2008-09-19 Edmonds E-mail to Murillo et al. re Safeway Inquiry Due to Medisim Letter (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).

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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
203	DTX-GU -- B 023298-023299 -- 2008-09-27 Edmonds E-mail to Murillo et al. re Req. for Copy of Medisim Letter to Safeway (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).
204	DTX-GV -- B 023915-023916 -- 2008-10-30 Yarden E-mail to Cohen re Available for Mtg. (C-DCO)	No objection.
205	DTX-GW -- B 024913 -- 2008-12-17 Malmberg E-mail to Edmonds et al. re Product Presented by Medisim to CVS (C-DCO)	No objection.
206	DTX-GX -- B 024938-024939 -- 2008-12-17 Edmonds E-mail to Malmberg et al. re Attd. Letter About New DTT (C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
207	DTX-GY -- B 025361-025362 -- 2009-01-19 Edmonds E-mail to Petrosky of RC2 re Attd. Photos Available for Use (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
208	DTX-GZ -- B 025478 -- 2009-01-27 N. Kuo E-mail to Cohen et al. re Walmart ReliOn DTT Selling Well (C-DCO)	No objection.
209	DTX-HA -- B 025485-025487 -- 2009-01-27 Lamontagne of Walmart E-mail to Cohen re Initial Forecast Was Too High (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
210	DTX-HB -- B 025508-025509 -- 2009-02-03 Lemos E-mail to Lambert et al. re Attd. DTT-1 Complaint Sheet (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper summary (FRE 1006).
211	DTX-HC -- B 025510 -- 2009-02-03 Lambert E-mail to Lemos et al. re Battery Issue with New DTT (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
212	DTX-HD -- B 025541-025542 -- 2009-02-05 Lemos E-mail to Sarussi re Attd. DTT-1 Returns Defect Sheet (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper summary (FRE 1006).
213	DTX-HE -- B 027244-027245 -- 2009-04-17 Lemos E-mail to Lambert et al. re Reshipping Case of Walmart Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
214	DTX-HF -- B 027785 -- 2009-05-05 Lemos E-mail to Chen re Req. to Expedite Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
215	DTX-HG -- B 027935-027936 -- 2009-05-07 Lemos E-mail to Chen et al. re Req. to Expedite Thermometers (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
216	DTX-HH -- B 030542 -- 2009-07-14 A. Hsu E-mail to Edmonds re Review of New Medisim Thermometer (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901). Improper lay opinion (FRE 701).
217	DTX-HI -- B 040105-040106 -- 2010-05-20 Edmonds E-mail to Cohen re DTT Stocking Store List (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Misleading/confusing (FRE 403).
218	DTX-HJ -- B 045897-045909 -- 2010-12-09 Sen E-mail to Cohen re Walmart Set With Attd. Photos (C-DCO)	No objection.
219	DTX-HK -- B 047933 -- 2004-09-28 Cohen E-mail to Tseng et al. re Questions About New Products (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
220	DTX-HL -- B 047976-047981 -- 2005-01-05 Cohen E-mail to Lemos re Attd. FHT Water Bath Testing Protocol (C-DCO)	No objection.

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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
221	DTX-HM -- B 048100-048102 -- 2005-02-10 Cohen E-mail to Constantineau re Product Called DTT Not FHT (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
222	DTX-HN -- B 048124 -- 2005-02-16 Cohen E-mail to Vadai re Use the Word Temple in DTT Instr. (C-DCO)	Hearsay (FRE 802).
223	DTX-HO -- B 048290-048304 -- 2005-07-12 Cohen E-mail to Alvear of Safeway re Attd. K-Jump Clinical Test Report for KD-113 (C-DCO)	Misleading/confusing (FRE 403). Hearsay (FRE 802, 805). Authentication (FRE 901).
224	DTX-HP -- B 048344 -- 2005-08-05 Cohen E-mail to Yarden et al. re DTT Packaging Problems (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
225	DTX-HQ -- B 048346 -- 2005-08-05 Cohen E-mail to Yarden et al. re Additional Packaging Problems (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
226	DTX-HR -- B 048354 -- 2005-08-09 Cohen E-mail to Yarden et al. re Lot # Discrepancies (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
227	DTX-HS -- B 048538-048539 -- 2005-11-04 Cohen E-mail to Lemos re Attd. Ordering Report (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper summary (FRE 1006).
228	DTX-HT -- B 050629-050630 -- 2007-05-14 Cohen E-mail to Yang re Medisim Patent, Contract (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).
229	DTX-HU -- B 050717 -- 2007-06-14 Cohen E-mail to Tseng et al. re Cannot Move DTT Prod. (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
230	DTX-HV -- B 052701 -- 2008-09-19 Cohen E-mail to N. Kuo et al. re Potential Walmart DTT Business (C-DCO)	Hearsay (FRE 802, 805).
231	DTX-HW -- B 052710-052711 -- 2008-09-22 Cohen E-mail to Chen re Potential Walmart DTT Business (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
232	DTX-HX -- B 052719-052721 -- 2008-09-24 Cohen E-mail to Chen re Potential Walmart DTT Business (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
233	DTX-HY -- B 052726-052729 -- 2008-09-26 Cohen E-mail to N. Kuo et al. re Potential Walmart DTT Business (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
234	DTX-HZ -- B 052743-052744 -- 2008-09-29 Cohen E-mail to Edmonds re Draft E-mail to Yale About Attd. ReliOn Packaging (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901).
235	DTX-IA -- B 052755-052758 -- 2008-10-03 Cohen E-mail to N. Kuo et al. re Walmart DTT Order (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
236	DTX-IB -- B 052983 -- 2008-10-07 Cohen E-mail to N. Kuo re K-Jump Questions About Walmart DTT (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
237	DTX-IC -- B 053936 -- 2009-07-08 Cohen E-mail to Tseng and N. Kuo re Medisim DTT at Walmart (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).

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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
238	DTX-ID -- B 053958 -- 2009-07-16 Cohen E-mail to A. Hsu and Edmonds re Medisim DTT at Walmart (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper lay opinion (FRE 701). Partially admissible (FRE 105).
239	DTX-IE -- B 057158 -- Undated Prigat of Medisim Letter re Business Collaboration	No objection.
240	DTX-IF -- B 057159 -- Undated Medisim Product Outline	Authentication (FRE 901). Misleading/confusion (FRE 403). Hearsay (FRE 802).
241	DTX-IG -- DDX 005 (Michaeli) -- 2010-04-19 (Purchased) Instr. for Walgreens Device	No objection.
242	DTX-IH -- DDX 007 (Michaeli) -- 2004 Safety 1st Accu-Touch Thermometer Instr. (MED 16776-16788 C-DCO)	No objection.
243	DTX-II -- DDX 009 (Michaeli) -- 2007 Safety 1st Accu-R.A.T.E Thermometer Instr	Hearsay (FRE 802). Authentication (FRE 901).
244	DTX-IJ -- DDX 012 (Yarden) -- 2003 Medisim Co. Profile (MED 14597-14598 C-DCO)	No objection.
245	DTX-IK -- DDX 013 (Yarden) -- 2004 (Est.) Medisim Presentation (MED 4938-4953 Conf.)	No objection.
246	DTX-IL -- DDX 014 (Yarden) -- 2006 (Est.) Medisim Presentation (MED 13362-13371 C-DCO)	No objection.
247	DTX-IM -- DDX 015 (Yarden) -- 2005 (Est.) Medisim Presentation (MED 4964-4980 C-DCO)	No objection.
248	DTX-IN -- DDX 016 (Yarden) -- 2003-01-02 Vadai E-mail to Edmonds re Attd. Info. on Medisim (MED 4924-4929 Partly Conf.)	Misleading/confusing (FRE 403)
249	DTX-IO -- DDX 017 (Yarden) -- 2003-04-15 Vadai E-mail to Cohen re Mtg. to Discuss Medisim Products (B 7-9)	No objection.
250	DTX-IP -- DDX 018 (Yarden) -- 2003-06-11 Sasson E-mail to Vadai re Samples Sent to BestMed (MED 14615)	No objection.
251	DTX-IQ -- DDX 019 (Yarden) -- 2003-07-27 Cohen E-mail to Yarden re Mtg. with Walgreens (B 10-11)	No objection.
252	DTX-IR -- DDX 020 (Yarden) -- 2003-07-28 Vadai E-mail to Cohen re Info. for Mtg. with Walgreens (MED 16612 Conf.)	No objection.
253	DTX-IS -- DDX 021 (Yarden) -- 2003-08-01 Edmonds Letter to Walgreens re Offer for Thermometer Early 2004 (B 16-17)	Hearsay (FRE 802). Authentication (FRE 901). Partially admissible (FRE 105).
254	DTX-IT -- DDX 022 (Yarden) -- Undated Photo of Medisim Prototypes, Marked at Dep. (B 1)	No objection.
255	DTX-IU -- DDX 023 (Yarden) -- Undated Photo of Medisim Prototypes, Marked at Dep. (B 2)	No objection.
256	DTX-IV -- DDX 024 (Yarden) -- 2003-11-11 Cohen E-mail to Yarden re Schedule to Market FHT-1 (MED 18046 Conf.)	Hearsay (FRE 802). Authentication (FRE 901). Partially admissible (FRE 105).
257	DTX-IW -- DDX 025 (Yarden) -- 2004-03-18 Yarden E-mail to Cohen et al. re Medisim Still Negotiating With Brands (MED 16266 Conf.)	Hearsay (FRE 802). Authentication (FRE 901). Partially admissible (FRE 105).
258	DTX-IX -- DDX 026 (Yarden) -- 2004-06-14 Yarden E-mail to Cohen re Offer of FHT (MED 15963 Conf.)	No objection.
259	DTX-IY -- DDX 027 (Yarden) -- 2004-07-21 Yarden E-mail to Cohen et al. re Summary of T-con. (MED 18043-18045 Conf.)	No objection



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260	DTX-IZ -- DDX 028 (Yarden) -- 2003-08-04 Vadai E-mail to Cohen re 2004-01 Shipments to Walgreens Doable (B 18)	Hearsay (FRE 802, 805). Authentication (FRE 901). Misleading/confusing (FRE 403). Partially admissible (FRE 105).
261	DTX-JA -- DDX 029 (Yarden) -- 2004-08-24 Cohen E-mail to Yarden et al. re Need Agmt. to Present Thermometer (MED 15860-15861 Conf.)	No objection.
262	DTX-JB -- DDX 030 (Yarden) -- 2003-08-24 Cohen E-mail to Yarden re Update on Walgreens (B 21-22)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
263	DTX-JC -- DDX 031 (Yarden) -- 2004-10-12 Yarden E-mail to Cohen re Agmt., Clinical Data (MED 18076 Conf.)	No objections.
264	DTX-JD -- DDX 032 (Yarden) -- 2004-11-24 BestMed and Medisim Int'l Distributorship Agmt. (B 75-93)	No objections.
265	DTX-JE -- DDX 033 (Yarden) -- 2005-01-04 Yarden E-mail to Sasson re Attd. PO from BestMed (MED 344-359 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Misleading/confusing (FRE 403).
266	DTX-JF -- DDX 034 (Yarden) -- 2005-02-09 Cohen E-mail to Yarden et al. re Shuster Labs Test (MED 417-418 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
267	DTX-JG -- DDX 035 (Yarden) -- 2005-04-05 Cohen E-mail to Yarden et al. re Production Capacity (MED 561 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
268	DTX-JH -- DDX 036 (Yarden) -- 2005-04-08 Lemos E-mail to Sasson re Replacement PO for DTT-1 (MED 574-779 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
269	DTX-JI -- DDX 037 (Yarden) -- 2005-04-28 Lemos E-mail to Sasson re Attd. New PO for Longs Drug DTT-1 (MED 851-894 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
270	DTX-JJ -- DDX 038 (Yarden) -- 2005-05-24 Lemos E-mail to Sasson re Attd. PO for New Orders for DTT-1 (MED 1187-1227 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
271	DTX-JK -- DDX 039 (Yarden) -- 2008-04-07 BestMed and Medisim Purchase and Sale Agmt. (B 94-95)	No objection.
272	DTX-JL -- DDX 040 (Yarden) -- 2009-10-06 US Patent 7,597,668 to Yarden (MED 1-10)	No objection.
273	DTX-JM -- DDX 041 (Yarden) -- 2010-07-14 History for '668 Patent to Yarden (MED 11-298)	No objection.
274	DTX-JN -- DDX 042 (Yarden) -- 2005-02-16 Shuster Labs Evaluation Report (MED 4861-4863 Conf.)	No objection.
275	DTX-JO -- DDX 043 (Yarden) -- 2005-04-28 Yarden E-mail to Cohen et al. re Shipping Schedule (MED 848-850 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
276	DTX-JP -- DDX 044 (Yarden) -- 2005-09-19 Cohen E-mail to Sasson et al. re 6K Shipment (MED 2396-2397 Conf.)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
277	DTX-JQ -- DDX 045 (Yarden) -- 2005-11-03 Cohen E-mail to Sasson et al. re Brooks and Eckerd Shipment (MED 2688 Conf.)	Hearsay (FRE 802, 805). Authentication (FRE 901).
278	DTX-JR -- DDX 046 (Yarden) -- 2007-05-01 Yarden E-mail to Cohen et al. re T-con. About Contract (MED 2213 C-DCO)	No objection.
279	DTX-JS -- DDX 049 (Yarden) -- Placeholder for Retained Physical Exh	Authentication (FRE 901).



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280	DTX-JT -- DDX 051 (Yarden) -- Placeholder for Retained Physical Exh. + Scan of Walgreens DTT Instr. for Use	Authentication (FRE 901).
281	DTX-JU -- DDX 053 (Yarden) -- 2001-08-28 US Patent 6,280,397 to Yarden et al., Marked at Dep	No objection.
282	DTX-JV -- DDX 057 (Wilson) -- Placeholder for Retained Physical Exh	Authentication (FRE 901).
283	DTX-JW -- DDX 058 (Wilson) -- Placeholder for Retained Physical Exh	Authentication (FRE 901).
284	DTX-JX -- DDX 059 (Wilson) -- 2012-12-14 Medisim Website Page re TempleTouch Premium	Hearsay (FRE 802, 805). Authentication (FRE 901). Not produced.
285	DTX-JY -- DDX 060 (Wilson) -- 2012-12-14 Walmart Website Page re Exergen Temporal Thermometer	Hearsay (FRE 802, 805). Authentication (FRE 901). Not produced.
286	DTX-JZ -- DDX 061 (Wilson) -- 2012-12-14 Walmart Website Page re Vicks Behind Ear Thermometer	Hearsay (FRE 802, 805). Authentication (FRE 901). Not produced.
287	DTX-KA -- DDX 062 (Wilson) -- 2010-01-15 Medisim Press Release re Wilson Named President of Medisim-USA	Hearsay (FRE 802, 805). Authentication (FRE 901). Not produced.
288	DTX-KB -- DDX 063 (Wilson) -- 2010-10-01 Medisim Press Release re Medisim to Unveil Mother'sTouch Thermometer at ABC Show	No objection.
289	DTX-KC -- DDX 064 (Wilson) -- 2012-12-18 Website Pages re Mom's Best Award for Mother'sTouch Thermometer	No objection.
290	DTX-KD -- DDX 065 (Wilson) -- 2012-12-18 PTPA Website Pages re TempleTouch Thermometer	No objection.
291	DTX-KE -- DDX 066 (Wilson) -- 2012-12-18 Family Review Center Website Pages re TempleTouch Thermometer	No objection.
292	DTX-KF -- DDX 067 (Wilson) -- 2012-09-12 Wilson Decl. with Exh. 1-3 to Medisim's Opp. to MSJ (Redacted)	No objection.
293	DTX-KG -- DJG 000110-000111 -- 2005-03-27 Medisim Invoice to DJG for FHT2 Tooling and Molds (Conf.)	Authentication (FRE 901). Hearsay (FRE 802,805).
294	DTX-KH -- DJG 000161-000162 -- 2005-03-17 Boissonneault Letter to Yarden re HC Forehead Thermometer (Conf.)	Authentication (FRE 901). Hearsay (FRE 802,805).
295	DTX-KI -- JG 000050-000065 -- 2003 Article by Akama et al. on Forehead and Core Temp	Hearsay (FRE 802).
296	DTX-KJ -- JG 000066-000069 -- 1966 Excerpt from Physics Book by Halliday and Resnick re Heat Conduction	Hearsay (FRE 802).
297	DTX-KK -- JG 000070-000073 -- 2000 Article by Harioka et al. on Deep Forehead Temp	Hearsay (FRE 802).
298	DTX-KL -- JG 000074-000081 -- 1975 Article by Kobayashi et al. on Deep Body Thermometer	Hearsay (FRE 802).
299	DTX-KM -- JG 000082-000089 -- 1980 Article by Muravchick et al. on Temp. Monitoring During Operation	Hearsay (FRE 802).
300	DTX-KN -- JG 000090-000092 -- 1988 Article by Shinozaki et al. on Infrared Tympanic Thermometer	Hearsay (FRE 802).
301	DTX-KO -- JG 000093-000096 -- 1976-05 Article by Togawa et al. on Internal Temp. Measurement Device	Hearsay (FRE 802).

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302	DTX-KP -- JG 000097-000123 -- 1985 Article by Togawa on Body Temp. Measurement	Hearsay (FRE 802).
303	DTX-KQ -- JG 000124-000131 -- 2003 Article by Yamakage et al. on Deep Temp. Monitoring	Hearsay (FRE 802).
304	DTX-KR -- JG 000132-000135 -- 2002 Article by Yamakage et al. on Evaluation of New Deep Body Temp. Monitor	Hearsay (FRE 802).
305	DTX-KS -- JG 000142-000361 -- 1990-03-06 FDA Doc. re Thermoscan Instant Thermometer	No objection.
306	DTX-KT -- JG 000208-000226 -- Undated Thermoscan Operator's Manual from 1990-03-06 FDA Doc	Hearsay (FRE 802).
307	DTX-KU -- JG 000362-000418 -- 1976-12-09 FDA Doc. re Terumo Thermo Finer Coretemp	No objection.
308	DTX-KV -- JG 000419-000420 -- 2007-06-21 Lin of FDA Letter to Wang of K-Jump re KD-2200	No objection.
309	DTX-KW -- JG 000421 -- Undated Indications for Use re KD-2200	No objection.
310	DTX-KX -- JG 000422-000430 -- Undated FirstTemp Operation Manual	Hearsay (FRE 802).
311	DTX-KY -- JG 000431-000433 -- 2011-07-24 Website Pages re Terumo, in Japanese	Hearsay (FRE 802). Authentication (FRE 901).
312	DTX-KZ -- JG 000434-000436 -- 2011-07-24 Google English Translation of Japanese Website Pages re Terumo	Hearsay (FRE 802). Authentication (FRE 901).
313	DTX-LA -- JG 000437-000440 -- 2008-03-27 Terumo Doc., in Japanese	Hearsay (FRE 801). Authentication (FRE 901).
314	DTX-LB -- JG 000441-000442 -- Undated Mother's Touch Thermometer Info. Sheets	No objection.
315	DTX-LC -- JG 000443-000448 -- 2007 Safety 1st Thermometer User Guide	No objection.
316	DTX-LD -- JG 000453-000462 -- 2011-08-03 (Purchased) Walgreens DTT Instr. for Use	No objection.
317	DTX-LE -- JG 000463 -- 2011-08-08 (Purchased) ReliOn Temple Touch Thermometer Instr. for Use	No objection.
318	DTX-LF -- JG 000464-000472 -- 2011-08-04 (Purchased) Mother's Touch Thermometer Instr. for Use	No objection.
319	DTX-LG -- JG 000473-000475 -- 2009-01-09 Article by Yellin on FDA 510(k) Clearance and Premarket Approval	Hearsay (FRE 802). Authentication (FRE 901).
320	DTX-LH -- JG 000476 -- 2009-06-18 FDA 510(k) Clearances Overview	Hearsay (FRE 802). Authentication (FRE 901).
321	DTX-LI -- JG 000477-000494 -- 1998-03-20 FDA 510(k) Premarket Alternate Approaches	Hearsay (FRE 802).
322	DTX-LJ -- JG 000495-000512 -- 2011-07-05 (Est.) FDA Analysis of Premarket Review Times Under 510(k) Program	Hearsay (FRE 802). Authentication (FRE 901).
323	DTX-LK -- JG 000513-000516 -- 2010-09-03 FDA Website Pages on 510(k) Premarket Notification	Hearsay (FRE 802). Authentication (FRE 901).
324	DTX-LL -- JG 000521-000528 -- 2010-09-02 BestMed Fever Flash DTT KD-2201.L Instr. Manual	No objection.
325	DTX-LM -- JG 000529-000532 -- 2010-09-02 BestMed DTT KD-2210 Instr. Manual	No objection.
326	DTX-LN -- JG 000533-000536 -- 2010-01-05 CVS DTT KD-2220 Instr. Manual	No objection.
327	DTX-LO -- JG 000537-000540 -- 2006 CVS KD-192 Thermometer Instr. for Use	Hearsay (FRE 802). Authentication (FRE 901).

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328	DTX-LP -- JG 000541-000566 -- 2003 Alaris IVAC CoreCheck 2090 Thermometer Directions for Use	Hearsay (FRE 802). Authentication (FRE 901).
329	DTX-LQ -- JG 000934 -- Undated K-Jump Infrared Forehead Thermometer Info. Sheet	Hearsay (FRE 802). Authentication (FRE 901).
330	DTX-LR -- JG 000935-000950 -- 2001 Exergen TemporalScanner Thermometer Instr	Hearsay (FRE 802). Authentication (FRE 901).
331	DTX-LS -- JG 000951-000956 -- 2011-10-02 Website Pages re Exergen TAT-2000 Temporal Thermometer	Hearsay (FRE 802). Authentication (FRE 901).
332	DTX-LT -- JG 000957-000970 -- 2011-09-20 Website Pages re Exergen Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
333	DTX-LU -- JG 000971-000973 -- 2011-09-22 DHGate Website Pages re Wholesale Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
334	DTX-LV -- JG 000974-000981 -- 2011-10-02 DHGate Website Pages re Wholesale Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
335	DTX-LW -- JG 000982-000988 -- 2011-09-20 to 22 Amazon and US Advanced Healthcare Website Pages re Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
336	DTX-LX -- JG 000989-000996 -- 2011-09-20,-22 Website Pages re FeverWatch Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
337	DTX-LY -- JG 000997-001001 -- 2011-09-22 Website Pages re Veridian Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
338	DTX-LZ -- JG 001002-001008 -- 2011-09-20 to 22 Website Pages re Mabis Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
339	DTX-MA -- JG 001009-001018 -- 2011-09-20,-21 Website Pages re Vicks Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
340	DTX-MB -- JG 001019-001024 -- 2011-09-20 Website Pages re ProCheck Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
341	DTX-MC -- JG 001025-001035 -- 2011-02-24 Vicks Behind Ear Thermometer Use and Care Manual	Hearsay (FRE 802). Authentication (FRE 901).
342	DTX-MD -- JG 001036-001055 -- 2010 Lumiscope 2220 Thermometer Instr. Manual	Hearsay (FRE 802). Authentication (FRE 901).
343	DTX-ME -- JG 001056-001059 -- 2011-10-02 DIYTrade Website Pages re FCC CE Cert. DT-8806H Thermometer	Hearsay (FRE 802). Authentication (FRE 901).
344	DTX-MF -- JG 001060-001071 -- 2011-09-20,-22 Microlife Website Pages re Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
345	DTX-MG -- JG 001072-001075 -- 2011-09-21,-22 Website Pages re Famidoc Thermometers	Hearsay (FRE 802). Authentication (FRE 901).

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346	DTX-MH -- JG 001076-001079 -- 2011-09-20,-22 Website Pages re ThermoFocus Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
347	DTX-MI -- JG 001080-001084 -- 2011-09-22 Website Pages re KidzMed Thermometer	Hearsay (FRE 802). Authentication (FRE 901).
348	DTX-MJ -- JG 001085-001086 -- 2011-09-22 Website Pages re Lumiscope Thermometer	Hearsay (FRE 802). Authentication (FRE 901).
349	DTX-MK -- JG 001087 -- 2011-09-20 Amazon Website Page re Neewer Thermometer	Hearsay (FRE 802). Authentication (FRE 901).
350	DTX-ML -- JG 001088-001091 -- 2011-09-20 Website Pages re Mobi Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
351	DTX-MM -- JG 001092-001094 -- 2011-10-02 Amazon Website Pages re Mabis Thermometer Reviews	Hearsay (FRE 802). Authentication (FRE 901).
352	DTX-MN -- JG 001095-001101 -- 2011-10-02 Dolby Medical Website Pages re Microlife Thermometers	Hearsay (FRE 802). Authentication (FRE 901).
353	DTX-MO -- JG 001102 -- 2011-10-11 Screenshot re PTPA and Temple Touch Thermometer	Hearsay (FRE 802). Authentication (FRE 901).
354	DTX-MP -- JG 001103-001110 -- 2011-10-11 PTPA Website Pages	No objection.
355	DTX-MQ -- JG 001111-001112 -- 2007-12-04 Disney Press Release	Hearsay (FRE 802). Authentication (FRE 901).
356	DTX-MR -- JG 001113-001118 -- 2011-10-11 BabyZone Website Pages	Hearsay (FRE 802). Authentication (FRE 901).
357	DTX-MS -- JG 001119-001120 -- 2009-02-05 iParenting Media Awards	Hearsay (FRE 802). Authentication (FRE 901).
358	DTX-MT -- JG 001121-001218 -- 2011-10-11 Website Pages re Mom's Choice Awards	Hearsay (FRE 802). Authentication (FRE 901).
359	DTX-MU -- JG 001219-001222 -- 2011-10-11 Website Pages re Family Review Center	Hearsay (FRE 802). Authentication (FRE 901).
360	DTX-MV -- JG 001223-001225 -- 2010-01 Family Review Center Awards	Hearsay (FRE 802). Authentication (FRE 901).
361	DTX-MW -- JG 001226 -- 2011-10-14 Screenshot of Family Review Center Pop Up	Hearsay (FRE 802). Authentication (FRE 901).
362	DTX-MX -- JG 001227-001231 -- 2011-10-12 Costco Website Pages re Exergen Thermometer Reviews	Hearsay (FRE 801). Authentication (FRE 901).
363	DTX-MY -- JG 001232-001236 -- 2011-10-12 Walmart Website Pages re Exergen Thermometer Reviews	Hearsay (FRE 801). Authentication (FRE 901).

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364	DTX-MZ -- JG 001237-001239 -- 2011-10-12 Walmart Website Pages re ReliOn Thermometer Reviews	Hearsay (FRE 802). Authentication (FRE 901).
365	DTX-NA -- JG 001240-001243 -- 2011-10-12 Walmart Website Pages re Veridian Thermometer Reviews	Hearsay (FRE 802). Authentication (FRE 901).
366	DTX-NB -- K-J 000085-000086 -- 2007-02-14 K-Jump FDA 510(k) Summary for KD-2200 (Conf.)	No objection.
367	DTX-NC -- K-J 000105-000119 -- 2006-08-11 KD-2200 Software Design Spec. (Conf.)	No objection.
368	DTX-ND -- K-J 000195-000197 -- Undated Instr. Manual for KD-2200 by K-Jump	No objection.
369	DTX-NE -- K-J 000293-000298 -- Undated Spreadsheet re KD-2200 Clinical Test Data (C-DCO)	No objection.
370	DTX-NF -- K-J 000696-001013 -- 2008-2009 Source Code from K-Jump (C-DCO)	No objection.
371	DTX-NG -- K-J 001258-001260 -- 2010-12-01 Spreadsheet re Sales of KD-2201 (C-DCO)	No objection.
372	DTX-NH -- K-J 001955-001956 -- 2003 Medisim Presentation Pages on Forehead Thermometer (Conf.)	Authentication (FRE 901).
373	DTX-NI -- K-J 001999 -- 2005-03-04 Cohen E-mail to Tseng et al. re Update on Medisim (Conf.)	No objection.
374	DTX-NJ -- K-J 002560 -- 2006-05-19 Cohen E-mail to T. Wu re DTT Project (Conf.)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
375	DTX-NK -- K-J 002773-002795 -- Undated Source Code from K-Jump (C-DCO)	No objection.
376	DTX-NL -- LIPSON 000001-000007 -- 1993 Article by Erickson et al. on Temp. Measurement (B 57052-57058)	Hearsay (FRE 802).
377	DTX-NM -- LIPSON 000008-000011 -- 2011 ASTM E1112-00 Standard Spec. for Thermometer Determination of Temp	Hearsay (FRE 802).
378	DTX-NN -- LIPSON 000012-000032 -- 2008-08 Article by Sessler on Temp. Monitoring and Perioperative Thermoregulation	Hearsay (FRE 802).
379	DTX-NO -- LIPSON 000033-000036 -- 1983 Article by Cork et al. on Intraoperative Temperature Monitoring	Hearsay (FRE 802).
380	DTX-NP -- LIPSON 000037-000056 -- 1987-04 IVAC Thermometer Model 2080 Manual	Hearsay (FRE 802).
381	DTX-NQ -- LIPSON 000057-000060 -- 1974-10 Article by Blainey on Site Selection in Taking Body Temp	Hearsay (FRE 802).
382	DTX-NR -- LIPSON 000061-000064 -- 2003 Welch Allyn Model 692-690 SureTemp Plus Thermometer Accuracy Study	Hearsay (FRE 802).
383	DTX-NS -- LIPSON 000065-000067 -- 1993 Excerpt from Illustrated Manual of Nursing Practice	Hearsay (FRE 802).
384	DTX-NT -- MED 000067-000073 -- 1997 Article by Fulbrook on Core Body Temp	Hearsay (FRE 802).
385	DTX-NU -- MED 000340-000341 -- 2003-07-28 Edmonds E-mail to Sasson re Received 2 Samples (C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
386	DTX-NV -- MED 001186 -- 2005-05-18 Lahowetz E-mail to Sasson et al. re FTP Site for Posting Instr. (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901). Misleading/confusing (FRE 403).
387	DTX-NW -- MED 002221-002222 -- 2008-01-08 Cohen E-mail to Yarden et al. re Reasons to Move Business to K-Jump (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901). Partially admissible (FRE 105).

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388	DTX-NX -- MED 004924 -- 2003-01-02 Vadai E-mail to Edmonds re Info. on Medisim	Authentication (FRE 901).
389	DTX-NY -- MED 004925 -- 2002 Medisim Info. Sheet Titled Who We Are	No objection.
390	DTX-NZ -- MED 004926 -- Undated Medisim Info. Sheet on M5T Thermometer (Conf.)	No objection.
391	DTX-OA -- MED 004927 -- Undated Medisim Info. Sheet on Penguin Thermometer (Conf.)	No objection.
392	DTX-OB -- MED 004928-004929 -- 2002 Medisim Info. Sheet on R.A.T.E. Technology	No objection.
393	DTX-OC -- MED 004938-004953 -- 2004 (Est.) Medisim Presentation (Conf.)	No objection.
394	DTX-OD -- MED 004964-004980 -- 2005 (Est.) Medisim Presentation (C-DCO)	No objection.
395	DTX-OE -- MED 005060-005066 -- 2005-06-28 Medisim Risk Analysis Report for FHT-1 (C-DCO)	No objection.
396	DTX-OF -- MED 013362-013371 -- 2006 (Est.) Medisim Presentation (C-DCO)	No objection.
397	DTX-OG -- MED 013768-013773 -- Undated Medisim Clinical Study Raw Data (C-DCO)	No objection.
398	DTX-OH -- MED 014369 -- 2004-03-15 Vadai E-mail to Zriha re Exergen Defense of Patents (C-DCO)	Hearsay (FRE 802). Authentication (FRE 901).
399	DTX-OI -- MED 015681-015718 -- 2003-03 Medisim FDA 510(k) Premarket Notification for FHT (C-DCO)	Authentication (FRE 901). Partially admissible (FRE 105).
400	DTX-OJ -- MED 015972-015974 -- 2008-03-13 Sarussi E-mail to Michaeli re Cohen E-mail About Prop. to Modify Agmt. Clauses (Conf.)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
401	DTX-OK -- MED 016612-016613 -- 2003-07-28 Vadai E-mail to Cohen re Info. for Mtg. with Walgreens (Conf.)	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105).
402	DTX-OL -- MED 016815-016826 -- 2007-09-10 Medisim Product List for Outsourcing Support (C-DCO)	No objection.
403	DTX-OM -- MED 016833-016835 -- Undated Chart Titled EEPROM MAP PARFHMV2 FOR NCHMV002 (C-DCO)	Authentication (FRE 901). Partially admissible (FRE 105).
404	DTX-ON -- MED 016836-016898 -- Undated FHT-1 Source Code Software Listing (C-DCO)	No objection.
405	DTX-OO -- MED 018006-018039 -- 2010 (Est.) Medisim Financials (C-DCO)	No objection.
406	DTX-OP -- MED 018173-018198 -- 2003-03 Medisim FDA Doc. re FHT Section 7 on Software (Conf.)	No objection.
407	DTX-OQ -- MED 019000-019001 -- 2009 Medisim P&L Report - Cost of Sales and Processing (C-DCO)	No objection.
408	DTX-OR -- MED 019002-019004 -- 2009 Medisim P&L Report - Cost of Sales and Processing (C-DCO)	No objection.
409	DTX-OS -- MED 019005 -- 2010 Medisim P&L Report (C-DCO)	No objection.
410	DTX-OT -- MED 019027-019029 -- Undated Medisim Customer List (C-DCO)	No objection.
411	DTX-OU -- PDX 025 (Tseng) -- 2003-2007 Medisim and K-Jump FDA Doc. (K-J 68-198 Not Seq. Partly C-DCO)	No objection.
412	DTX-OV -- PDX 040 (Tseng) -- 2010-12-08 K-Jump FDA Doc. (K-J 1361-1772 Not Seq. Conf.)	No objection.
413	DTX-OW -- PDX 058 (Hsu) -- Undated Spreadsheet re Testing of KD-2200 (K-J 279-281 C-DCO)	No objection.
414	DTX-OX -- PDX 059 (Hsu) -- Undated Spreadsheet re Testing of KD-2200 (K-J 286-287 C-DCO)	No objection.
415	DTX-OY -- PDX 060 (Hsu) -- Undated Spreadsheet re Clinical Testing of KD-2200	No objection.

**Medisim Ltd. v. BestMed, LLC**  
**BestMed's Trial Exhibits (DTX-A through DTX-QS)**

Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
416	DTX-OZ -- PDX 093 (Edmonds) -- 2005-11-04 Cohen E-mail to Yarden re Attd. Sales Forecast (B 48544-48545 C-DCO)	Hearsay (FRE 802, 805). Authentication (FRE 901). Improper summary (FRE 1006). Partially admissible (FRE 105).
417	DTX-PA -- PDX 116 (Edmonds) -- 2008-05-09 Cohen Letter to Yarden re Misrepresentations	Hearsay (FRE 802, 805). Authentication (FRE 901). Partially admissible (FRE 105). Improper lay opinion (FRE 701).
418	DTX-PB -- PDX 130 (Cohen) -- 2010-12-03 (Received) Sales of K-Jump DTT (B 790-812 C-DCO)	No objection.
419	DTX-PC -- PDX 132 (Cohen) -- Undated DTT Pricing (B 57538 C-DCO)	No objection.
420	DTX-PD -- PDX 146 (Cohen) -- 2003-09-18 Cohen E-mail to Yarden re Walgreens and FHT-1 Marketing Program (B 26-27)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
421	DTX-PE -- PDX 151 (Cohen) -- 2005-03-27 Cohen E-mail to Tseng et al. re Producing Products for Medisim (K-J 2010 Conf.)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
422	DTX-PF -- PDX 154 (Cohen) -- 2006-01-13 Addendum to Int'l Distributorship Agmt. (B 92-93)	Incomplete document (FRE 106).
423	DTX-PG -- PDX 155 (Cohen) -- 2006-02-13 Cohen E-mail to Yarden et al. re Did Not Get Walmart Business (B 48997 C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
424	DTX-PH -- PDX 156 (Cohen) -- 2006-04-29 Yarden E-mail to Edmonds re Need T-con. Before Starting Production (B 9978-9979 C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
425	DTX-PI -- PDX 158 (Cohen) -- 2006-10-05 Cohen E-mail to Banks of Medline re Attd. Summary of Clinical Trials (B 49641-49643 C-DCO)	No objection.
426	DTX-PJ -- PDX 162 (Cohen) -- 2007-03-30 Cohen E-mail to Tseng et al. re Potential DTT Orders from Target and CVS (B 190 C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
427	DTX-PK -- PDX 163 (Cohen) -- 2007-05-22 Edmonds E-mail to Yarden et al. re New Contract (B 15150 C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
428	DTX-PL -- PDX 169 (Cohen) -- 2008-04-01 Edmonds E-mail to Walsh re Attd. CVS Packaging (B 19478-19479 C-DCO)	Hearsay (FRE 802, 805). Partially admissible (FRE 105).
429	DTX-PM -- PDX 170 (Cohen) -- 2008-04-07 BestMed and Medisim Purchase and Sale Agmt. (B 94-95)	No objection.
430	DTX-PN -- PDX 171 (Cohen) -- 2008-05-12 Akrish E-mail to Cohen re Change to Lot # Procedure (B 20158-20162 C-DCO)	No objection
431	DTX-PO -- PDX 172 (Cohen) -- 2008-05-27 Yarden Letter to Cohen re Distribution Agmt. (B 685-686 C-DCO)	No objection
432	DTX-PP -- PDX 175 (Cohen) -- 2008-11-20 Yarden E-mail to Cohen re Timing of Patent Appl. (B 24354 C-DCO)	No objection
433	DTX-PQ -- PDX 176 (Cohen) -- 2008-12-17 Edmonds E-mail to Malmberg et al. re Attd. Letter About New DTT (B 24938-24939 C-DCO)	Hearsay (FRE 802, 805). Improper advice of counsel (by stipulation). Partially admissible (FRE 105).
434	DTX-PR -- US Patent 4,602,642 to O'Hara et al. 1986-07-29	No objection.



**Medisim Ltd. v. BestMed, LLC**  
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Item #	BestMed's Trial Exhibits with Descriptions	Medisim's Objections
435	DTX-PS -- US Patent 4,900,162 to Beckman et al. 1990-02-13	No objection.
436	DTX-PT -- US Patent 4,993,419 to Pompei et al. 1991-02-19	No objection.
437	DTX-PU -- US Patent 5,012,813 to Pompei et al. 1991-05-07	No objection.
438	DTX-PV -- US Patent 5,015,102 to Yamaguchi 1991-05-14	No objection.
439	DTX-PW -- US Patent 5,088,837 to Shiokawa et al. 1992-02-18	No objection.
440	DTX-PX -- US Patent 5,150,969 to Goldberg et al. 1992-09-29	No objection.
441	DTX-PY -- US Patent 5,178,468 to Shiokawa et al. 1993-01-12	No objection.
442	DTX-PZ -- US Patent 5,199,436 to Pompei et al. 1993-04-06	No objection.
443	DTX-QA -- US Patent 5,293,877 to O'Hara et al. 1994-03-15	No objection.
444	DTX-QB -- US Patent 5,632,555 to Gregory et al. 1997-05-27	No objection.
445	DTX-QC -- US Patent 5,738,441 to Cambridge et al. 1998-04-14	No objection.
446	DTX-QD -- US Patent 6,146,015 to Weiss 2000-11-14	No objection.
447	DTX-QE -- US Patent 6,220,750 to Palti 2001-04-24	No objection.
448	DTX-QF -- US Patent 6,270,252 to Siefert 2001-08-07	No objection.
449	DTX-QG -- US Patent 6,280,397 to Yarden et al. 2001-08-28 History	No objection.
450	DTX-QH -- US Patent 6,280,397 to Yarden et al. 2001-08-28	No objection.
451	DTX-QI -- US Patent 6,292,685 to Pompei 2001-09-18	No objection.
452	DTX-QJ -- US Patent 7,479,116 to Yarden et al. 2009-01-20	No objection.
453	DTX-QK -- US Patent Appl. Publ. 2005.0043631 to Fraden 2005-02-24	No objection.
454	DTX-QL -- Devices listed at #107 in Considered Materials to 2011-09-02 Goldberg Report*	Authentication (FRE 901).
455	DTX-QM -- Device listed at #109 in Considered Materials to 2011-09-02 Goldberg Report	Authentication (FRE 901).
456	DTX-QN -- Device listed at #110 in Considered Materials to 2011-09-02 Goldberg Report	Authentication (FRE 901).
457	DTX-QO -- Device listed at #111 in Considered Materials to 2011-09-02 Goldberg Report	Authentication (FRE 901).
458	DTX-QP -- Devices listed at #157 in Considered Materials to 2011-10-03 Goldberg Rebuttal Report	Authentication (FRE 901).
459	DTX-QQ -- Device listed at #158 in Considered Materials to 2011-10-03 Goldberg Rebuttal Report	Authentication (FRE 901).
460	DTX-QR -- Device: CVS branded temple thermometer distributed by BestMed	Authentication (FRE 901).
461	DTX-QS -- Device: Western Family branded temple thermometer distributed by BestMed	Authentication (FRE 901).